

3. Debtor SARAH J. BUTLER and Non-filing Co-Debtor KEVIN BUTLER.is
the owner of the premises located at **900 EAST ONTARIO STREET, PHILADELPHIA, PA**

mortgaged premises.

4. The terms of the Debt Agreement were amended by a loan modification agreement entered into by and between Wells Fargo Bank, N.A. and Debtor(s) dated October 24, 2014 (the "Loan Modification Agreement").

5. Movant is the holder of a mortgage on the mortgaged premises.

6. Debtor's failure to tender monthly payments in a manner consistent with the terms of the Mortgage and Note result in a lack of adequate protection.

7. Movant wishes to institute foreclosure proceedings on the mortgage because of Debtor's failure to make the monthly payment required hereunder.

8. The foreclosure proceedings to be instituted were stayed by the filing of the instant Chapter 13 Petition.

9. As of November 13, 2017, Debtor has failed to tender post-petition mortgage payments for the months of September 2017 through November 2017. The monthly payment amount for the months of September 2017 through November 2017 is \$539.91, for a total amount due of \$1,619.73. The next payment is due on or before December 1, 2017 in the amount of \$539.91. Under the terms of the Note and Mortgage, Debtor has a continuing obligation to remain current post-petition and failure to do so results in a lack of adequate protection to Movant.

10. Movant has cause to have the Automatic Stay terminated as to permit Movant to complete foreclosure on its mortgage.

11. Movant specifically requests permission from the Honorable Court to communicate with Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law.

12. Movant specifically requests relief from the Co-Debtor Stay imposed by 11 U.S.C. 1301 as to the non-filing Co-Debtor, KEVIN BUTLER.

13. Movant requests that Federal Rule of Bankruptcy Procedure 3002.1 be waived.

WHEREFORE, Movant respectfully requests that this Court enter an Order;

- a. Modifying the Automatic Stay under Section 362 with respect to **900 EAST ONTARIO STREET, PHILADELPHIA, PA 19134 N/K/A 900E ONTARIO ST, PHILADELPHIA, PA 19134-1311** (as more fully set forth in the legal description attached to the Mortgage of record granted against the Premises), as to allow Movant, its successors and assignees, to proceed with its rights under the terms of said Mortgage; and
- b. Movant specifically requests permission from this Honorable Court to communicate with Debtor and Debtor's counsel to the extent necessary to comply with applicable nonbankruptcy law; and
- c. waiving Federal Rule of Bankruptcy Procedure 3002.1; and
- d. Lifting the Co-Debtor stay imposed by 11 U.S.C. 1301; and
- e. Granting any other relief that this Court deems equitable and just.

/s/ Jerome Blank, Esquire
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